

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FIBERTREK, INC., a Nevada corporation;  
LAWRENCE P. WAGNER, an individual;  
and JOHN G. PEERY, an individual,

Plaintiffs,

v.

PREFERRED CORPORATE SERVICES,  
INC., a Colorado Corporation; DOUGLAS  
GREGG, an individual; TDG, LLC,  
a Colorado Limited Liability Company;  
NEIL SMITH, an individual and  
DOES 1-100, inclusive,

Defendants.

AND RELATED CROSS-ACTION


Case No. 5:08-CV-03415-JW

**ORDER CONTINUING SECOND  
ORDER TO SHOW CAUSE RE:  
SETTLEMENT; SETTING  
ALTERNATIVE HEARING FOR  
MOTION FOR DEFAULT  
JUDGMENT**

This case is scheduled for a Second Order to Show Cause re: Settlement hearing on October 25, 2010. Pursuant to the Court's prior Order, Plaintiffs' counsel's has duly filed a declaration updating the Court on the status of the parties' settlement. Based on counsel's declaration, the Court finds good cause to grant a brief extension.

Accordingly, on or before **November 29, 2010 at 9 a.m.**, the parties shall appear for an Order to Show Cause re: Settlement or in the alternative, Plaintiffs' Motion for Default Judgment against Defendant Gregg. Plaintiffs shall file its Motion in accordance with the Civil Local Rules which will be **October 25, 2010**. If a Stipulated Dismissal is filed on or before **November 19, 2010**, the hearing will be vacated. No further extension will be granted.

Dated: October 19, 2010

  
JAMES WARE  
United States District Judge